

REMARKS

The Examiner has required restriction to one of the following inventions:

Group I, claims 1-37, drawn to a drug delivery device.

Group II, claims 38-56, drawn to a packaged drug.

Group III, claim 57, drawn to a method of use.

Applicant hereby elects, with traverse, the invention of Group I, claims 1-37.

It is submitted that both the device claims and the packaged drug claims 38 to 56 share a common functional feature essential to the working of the device. This is that the device and packaged drug fit together in the same way that a plug "mates" with a socket. More specifically, this feature is that the lower barrel comprises: "a means for receiving the packaged drug."

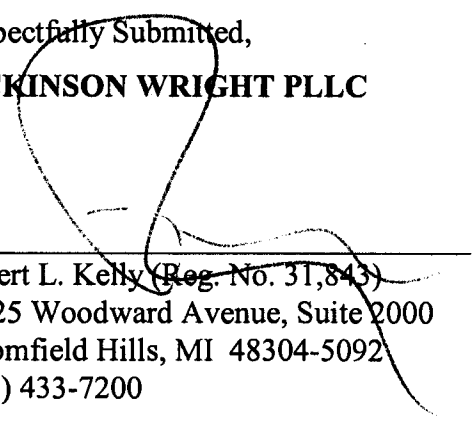
Similarly, the packaged drug claims specify that it comprises a "region allowing the packaged drug to be slidably mounted to the drug delivery device." This slidable relationship between the device and the packaged drug allows the device to be primed and triggered in a single action (as set out on page 11, paragraph 5) contributing to the safety of the device/packaged drug over devices already known in known in the art. Claim 57 is drawn to a method of using the device/packaged drug and for the same reasons comprise common functional features. Accordingly, the claims of Groups II and II should be allowed in the same application as we ask the Examiner to reconsider this objection.

Favorable consideration and allowance of this application is respectfully requested.

U.S. Application No. 10/523,473
Attorney Docket No. 663490-015
Response to Election/Restrictions Office Action of March 9, 2009

Applicants believe there are no fees due for this document, however, if any fees are due, the Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 04-1061 in the name of Dickinson Wright PLLC.

Respectfully Submitted,
DICKINSON WRIGHT PLLC



Robert L. Kelly (Reg. No. 31,843)
38525 Woodward Avenue, Suite 2000
Bloomfield Hills, MI 48304-5092
(248) 433-7200

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